

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RONALD EVERETT NEWTON,
ID #1299706

v.

LORIE DAVIS, Director, Texas
Department of Criminal Justice,
Correctional Institutions Division

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CIVIL ACTION NO. 3:19-CV-1366-S-BH

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE AND OVERRULING
PETITIONER'S OBJECTIONS TO ORDERS DATED MARCH 27, 2020**

This Order addresses the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (the “Magistrate Judge”) [ECF No. 38], Petitioner Ronald Everett Newton’s (“Petitioner”) Objections to the Findings, Conclusions, and Recommendation [ECF No. 42], and Petitioner’s Objections to the Orders of the Magistrate Judge dated March 27, 2020 [ECF Nos. 43, 44]. The Court reviewed de novo those portions of the findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. As to the Orders dated March 27, 2020, *see* ECF Nos. 37, 39, 40, the Court reviewed the Magistrate Judge’s legal conclusions de novo and factual findings for clear error. Finding no error, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation, and **OVERRULES** Petitioner’s Objections to the Orders dated March 27, 2020.


For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, Petitioner’s successive habeas corpus petition and his motion for exoneration will be **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit

under *Henderson v. Haro*, 282 F.3d 862, 864 (5th Cir. 2002), and *In re Epps*, 127 F.3d 364, 365 (5th Cir. 1997), by separate judgment.¹

If Petitioner files a notice of appeal, he must pay the \$505.00 appellate filing fee or submit a motion to proceed *in forma pauperis* and a properly signed certificate of inmate trust account.

SO ORDERED.

SIGNED April 16, 2020.


UNITED STATES DISTRICT JUDGE

¹A certificate of appealability (COA) is not required to appeal an order transferring a successive habeas petition. *See In re Garrett*, 633 F. App'x 260, 261 (5th Cir. 2016); *United States v. Fulton*, 780 F.3d 683 (5th Cir.2015).